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Attorneys for Defendant Oregonian Publishing Company

**UNITED STATES DISTRICT COURT**  
**DISTRICT OF OREGON**  
**PORTLAND DIVISION**

MICHAEL HOWARD, SAMANTHA  
KOSSA, ORA HOOPER, AND JEANNA  
FUEHRER, on behalf of themselves and all  
others similarly situated,

Plaintiffs,

v.

DIRECT RESPONSE MEDIA GROUP,  
INC., dba AKA DIRECT, AMAN  
ENTERPRISES, INC., ARCHWAYS  
SYSTEMS, INC., BILYEU-MILLER  
INSURANCE, LLC, COMMERCIAL  
INFORMATION SYSTEMS, LLC.,  
COMPUTER CHECK VERIFICATION  
“CCV”, CREDIT INTERNATIONAL  
CORP., CRIMINAL INFORMATION  
SERVICES, INC., CRIS INC., OREGON  
CREDIT SYSTEMS, INC., OREGONIAN  
PUBLISHING CO., PROFESSIONAL  
CREDIT SERVICES, INC., STUDIO K  
LTD., and WESTERN MERCANTILE  
AGENCY, INCORPORATED,

Defendants.

Case No. 09-CV-1477-MO

**DEFENDANT OREGONIAN  
PUBLISHING COMPANY’S MOTION  
TO DISMISS (RULE 12(b)(1) AND  
RULE 12(b)(6))**

Request for Oral Argument

**CERTIFICATION PURSUANT TO LOCAL RULE 7.1(a)(1)(A)**

Pursuant to Local Rule 7.1(a), the undersigned attorney for defendant Oregonian Publishing Company (“Oregonian”) certifies that he has conferred by telephone in good faith with Jeremy R. Wilson, one of the attorneys of record for the plaintiffs, and that the parties were not able to resolve the issues raised by this motion.

**MOTION**

Pursuant to Federal Rules of Civil Procedure 12(b)(1) and 12(b)(6), defendant Oregonian moves for an order dismissing the Complaint against it, on the ground that plaintiffs lack standing to assert their claim against Oregonian and on the ground that plaintiffs have not stated a claim against Oregonian on which relief can be granted. This Motion is supported by a Memorandum of Law in Support of Defendant Oregonian Publishing Company’s Motion to Dismiss, filed herewith.

Oregonian respectfully requests oral argument on this motion.

DATED: February 18, 2010.

STOEL RIVES LLP

/s/ Charles F. Hinkle

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**CERTIFICATE OF SERVICE**

I hereby certify that I served the foregoing **DEFENDANT OREGONIAN PUBLISHING COMPANY'S MOTION TO DISMISS (RULE 12(b)(1) AND RULE 12(b)(6))** on the following named person(s) on the date indicated below by:

- ☐ mailing with postage prepaid
- ☐ hand delivery
- ☐ facsimile transmission
- ☐ overnight delivery
- ☐ email
- ☒ notice of electronic filing using the Cm/ECF system

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DATED: February 18, 2010.

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